37 USC 301a note.

(d) REPORT ON NUMBER OF OFFICERS RECEIVING A WAIVER.—Such section is further amended by adding at the end the following new subsection:

"(f) The Secretary of Defense shall submit annually to Congress a report specifying for the year covered by the report—

"(1) the total number of officers who were determined under subsection (a)(5) to have failed to perform the minimum prescribed operational flying duty requirements;

"(2) the number of those officers who continued to receive continuous monthly incentive pay despite their failure to perform the minimum prescribed operational flying duty requirements and the extent to which they failed to perform those requirements; and

37 USC 301a note.

"(3) the reasons for the exercise of the authority under the second sentence of subsection (a)(5) in the case of each officer specified pursuant to paragraph (2).".

(e) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), the amendments made—

(1) by subsection (c) shall take effect on the date of the enactment of this Act; and

(2) by subsections (a), (b), and (d) shall take effect on October 1, 1991.

(3) The Secretary of a military department may delay, subject to the approval of the Secretary of Defense, the implementation of the amendments made by subsection (c) with respect to the department of that Secretary until such time as the Secretary concerned determines that implementation of those amendments is necessary to meet the needs of that department.

(4) If the Secretary of a military

department delays under paragraph (2) the implementation of the amendments made by subsection (c) beyond October 1, 1991, the Secretary may also delay implementation of the amendments made by subsections (a), (b), and (d) until the date on which the Secretary implements the amendments made by subsection (c). During the delay in implementation, the provisions of section 301a of title 37, United States Code, as in effect on the day before the date of the enactment of this Act, shall continue to apply in the case of such department to the payment of aviation career incentive pay under such section.

(f) TRANSITION.—(1) An officer of a uniformed service who, as of the date the amendments made by subsections (a), (b), and (d) take effect with regard to the officer's uniformed service—

(5) has completed years of aviation service in an amount equal to one of the number of years of aviation service specified in column 1 of the following table; and

(6) has performed, or subsequently performs, the prescribed operational flying duties (including flight training but excluding proficiency flying) during the number of years of aviation service specified in column 2 of such table and corresponding to the number of years of aviation service applicable to the officer under column 1.

shall be entitled to continuous monthly incentive pay at the rates provided in section 301a(b) of title 37, United States Code (as amended by this section) until the officer completes the years of service as an officer specified in column 3 of such table and applicable to the officer.